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In re Patent No. 7,118,922
Issue Date: October 10, 2006

Application No. 10/710,986

Filed: August 16, 2004

Attorney Docket No. 1372.185.PRC

: OFFICE OF PETITIONS
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: DECISION ON PETITION
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This is a decision on the Request For Certificate Of Correction Under 37 C.F.R. §1.323, filed April 20, 2010, requesting correction on the Title Page of the subject patent to add "*University of Central Florida*" as an additional assignee. The Request is being treated as a Petition Under 37 CFR §3.81(b). A completed Certificate of Correction Form (PTO/SB/44) was submitted with the petition.

The petition under 37 CFR §3.81(b) is **DISMISSED**.

Petitioner urges that the present Petition was submitted to add "*University of Central Florida, Orlando, FL (US)*" on the previously submitted PTOL-85B and that such error was the fault of the Applicant. Accordingly, petitioner requests, in effect, that the Title Page of the above-identified patent be corrected, via issuance of a Certificate of Correction (PTO/SB/44), to add the additional assignee's name as follows:

--University of Central Florida, Orlando, FL (US)--


37 CFR 3.81(b), effective June 25, 2004, reads:

After payment of the issue fee: Any request for issuance of an application in the name of the assignee submitted after the date of payment of the issue fee, and any request for a patent to be corrected to state the name of the assignee, must state that the assignment was submitted for recordation as set forth in § 3.11 before issuance of the patent, and must include a request for a certificate of correction under § 1.323 of this chapter (accompanied by the fee set forth in § 1.20(a) and the processing fee set forth in § 1.17(i) of this chapter.

U.S. Patent and Trademark Office assignments records disclose that an assignment "*University of Central Florida, Orlando, FL*" was submitted for recordation on March 3, 2010. Therefore, the recorded assignment was **after the date of issuance of this patent**. Accordingly, since the assignment was not submitted for recordation until after issuance of this patent, issuance of a certification of correction would not be proper.

Also, a Petition Under 37 CFR §3.81(b) requires a petition processing fee of \$130.00 (Fee Code 1464), as set forth under 37 CFR 1.17(i). This petition lacks the fee. For this reason, the petition is dismissed.

Inquiries related this communication should be directed to the undersigned at (571)272-3213.


Cheryl Gibson-Baylor
Petitions Examiner
Office of Petitions